

PROPOSAL 207

5 AAC 21.366. Northern District King Salmon Management Plan.

Adopt additional restrictions in the Northern District King Salmon Management Plan as follows:

5 AAC 21.366. Northern District King Salmon Management Plan.

(a) The purpose of this management plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions. The department shall manage the Northern District for the commercial harvest of king salmon as follows:

...

(3) the harvest may not exceed **15 percent of the total combined commercial and sport** [12,500] king salmon **harvest**;

...

(10) if the king salmon sport fishery on the Deshka River as described in 5 AAC 61 is

(A) conducted as a no bait fishery, the commissioner shall **close**, by emergency order, the commercial king salmon fishery throughout the Northern District; [REDUCE THE TIME ALLOWED PER COMMERCIAL SET GILLNET FISHING PERIOD FOR IN THIS SECTION TO NO MORE THAN NINE HOURS IN DURATION, FROM 7:00 A.M. UNTIL 4:00 P.M.];

(B) conducted as a catch and release fishery, the commissioner shall **close**, by emergency order, the commercial king salmon fishery throughout the Northern District; [REDUCE THE TIME ALLOWED PER COMMERCIAL SET GILLNET FISHING PERIOD FOR IN THIS SECTION TO NO MORE THAN SIX HOURS IN DURATION, FROM 7:00 A.M. UNTIL 1:00 P.M.];

(C) closed, the commissioner shall close, by emergency order, the commercial king salmon fishery throughout the Northern District;

...

(12) if the **preseason or** inseason Deshka River run projection is below the sustainable escapement goal, the commissioner **shall** [MAY], by emergency order, close the commercial salmon set gillnet fishery throughout the Northern District.

What is the issue you would like the board to address and why?

5 AAC 21.366. Northern District King Salmon Management Plan. (a) *The purpose of this management plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department.*

The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver

restrictions. The department shall manage the Northern District for the commercial harvest of king salmon as follows:

The Northern District set gillnet fishery is currently dominating the harvest of king salmon returning to the Northern Cook Inlet Management Area (NCIMA) rivers and streams. However, policy guidelines to the department to manage the Northern District king salmon stock are clear. Because the Northern District King salmon Management plan (Plan) specifically states that

The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions.

It appears to me that the current regulations are contrary to the intent of the Plan. As you can see, these policy guidelines prioritize this king salmon stock for sport and guided sport uses to provide these user groups with a reasonable opportunity to harvest these salmon. It further states that the department shall, not may, manage the Northern District king salmon stock primarily for sport and guided sport uses plan states, as the primary consumptive purpose. Therefore, I believe that when the sport fishery is prosecuted under catch-and-release regulations, allowing no reasonable opportunity harvest these salmon by the sport fishery, the commercial fishery should also be closed to harvest. Allowing the commercial fishery to have a harvest opportunity on this king salmon stock, when there is no reasonable opportunity for the sport fishery to harvest king salmon, is contrary to the Plan. However, it appears that current regulations allow the commercial harvest of king salmon even when the sport fishery is prosecuted under catch-and-release regulations. Under this scenario, the current regulations provide for a commercial king salmon harvest while excluding the sport and guided sport fisherman the opportunity to harvest these salmon. I believe that this is contrary to the overall guideline statement of the Plan.

Although there is some unknown mortality associated with catch and release, there is also an unknown mortality associated with dropouts of a gillnet set to catch king salmon. This gillnet-associated mortality is probably greater on the larger king salmon because the commercial fishery is restricted to a maximum mesh size of 6 in. stretch mesh and larger king salmon are usually not gilled in these nets. Experienced commercial fishermen, knowing that large kings are more susceptible to dropping out of a 6 in gillnet, carry a gaff to harvest the kings that may be dropping out of the net when the net is pulled. I believe that the mortality rate of kings that drop out of a gillnet, especially larger kings, is much higher than those that die from a catch and release fishery. This is especially so, because the king salmon caught in a sport fishery are not allowed to be taken out of the water if that fish is to be released.

The consistency of the commercial harvest while the sport fishery has plummeted essentially increases the proportion of commercial harvest and allocation. From 2000-2009, the Northern District set gill net king salmon fishery accounted for an average of approximately 10% of the total king salmon harvest. For the most recent two years, 2020 and 2021, this commercial fishery accounted for 67% and 61%, respectively, of the total Northern District king salmon harvest. This is a reallocation of the king salmon harvest that was not sanctioned by the Board through changes in the Northern District king salmon management plan. As stated in the Plan, the Northern District

king salmon stock is to be managed primarily...*to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions.*

Accordingly, it seems to me that since the commercial fishery has been harvesting more fish than the sport fishery, the management Plan of this stock need immediate adjustment. The commercial fishery should not dominate the harvest of this designated sport fish stock.

King salmon stocks throughout the state are in decline with decreasing average size and, most likely, decreased female salmon fecundity. We need to be more conservative on these stocks and ensure that the low end of the escapement range goals is met, if not exceeded. When a small harvestable surplus is projected, management of this resource should be precautionary. Allowing a commercial fishery, which has a great harvest potential, on a small projected available surplus may result in over harvest. If overharvest occurs then there may be little or no opportunity for sport and sport guided to reasonably expect to harvest king salmon.

Restricting the sport fishery to bait indicates that there is a small harvestable surplus. A small harvestable surplus should not be primarily taken with commercial gillnet fishing power. Additionally, there is a high probability that the commercial fishery would take a disproportionate amount of this small harvestable surplus. I believe that this is contrary to the Plan. In addition to the much greater harvest potential of commercial gillnets, there is an unknown, and probably relatively high mortality rate associated with the drop out of king salmon from the commercial gillnets. Restricting the sport fishery to catch-and-release indicates that there is an even smaller harvestable surplus. This surplus is basically the mortality associated with this fishing/catching technique. Allowing a commercial fishery on this very small harvestable surplus of a stock that is primarily managed for sport fisheries, exacerbates the above-mentioned problem with allowing a harvest-oriented commercial fishery on a small harvestable surplus.

Because the king salmon is designated as a sport fish, I propose that the commercial fishery for king salmon be closed when the sport fishery is restricted to no bait, and of course, catch and release. This would be more in line with the Plan purpose. Allowing a commercial fishery on a small and very small harvestable surplus is contrary to the Plan, contrary to the precautionary principal because there is a very real possibility of overharvest by the commercial fleet and may result in additionally sport fish restrictions and ultimately not meeting escapement goals. Further, if the preseason or inseason Deshka River king salmon run size projection is below the sustainable escapement goal, the commissioner SHALL close the commercial salmon set gillnet fishery throughout the Northern District. I believe that the department should not have any option to prosecute a commercial fishery on this stock if escapements are projected not to be met. Further, waiting for an inseason project of run strength when the preseason projection is poor is contrary to the Plan and the precautionary principle and will most likely result in poor salmon management with escapements not being met. Escapement is the priority.

Finally, since this stock should be managed primarily for sport fisheries, I suggest that a guideline apportionment for the commercial fishery be established that is reflective of all run sizes, and not as currently stated in **5 AAC 21.366(a)(3)**, the (commercial) harvest may not exceed 12,500. Note that since 2000, the commercial harvest has ranged from 141 king salmon in 2018 to 4,261 king

salmon in 2006. Starting in 2000, the five-year average harvest percent that the commercial fishery has harvested has been steadily increasing, ranging from 6% during the 5-year period 2000-2004, to 26% during the final 5-year period, 2015 to 2019. I did not include the most recent two years, 67% in 2020 and 61% in 2021, because these years were extraordinarily high mainly because the sport fishery was restricted in those years. In these two years, it is obvious that the management of the Northern District king salmon stock was not managed according to the overarching purpose statement of the Plan. Accordingly, I suggest that the Northern District commercial harvest not exceed 15% of the total combined Northern District commercial and sport fish king salmon harvest.

PROPOSED BY: Gene Sandone

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